

REMARKS

Claims 2, 4-5, 7, and 9-12 remain in this application. Claims 1, 3, and 8 have been cancelled.

In order to emphasize the patentable distinctions of applicant's invention over the prior art, claim 2 has been amended to recite that the blade of the utility knife is transversely angulated with respect to said gripping portion when viewed from a side view in the plane defined by said blade. The amendments to claim 2 are clearly supported by page 14, lines 16-23; page 15, lines 20-24; page 17, lines 9-12; and Figs. 1-4 of the specification, as originally filed. Accordingly, no new matter has been added.

In order to overcome the present objection to the drawings along with the present 35 USC 112, second paragraph rejection, claim 2 has been further amended to strike the phrase "blade replacement means" and instead claim a cavity for holding extra knife blade elements, wherein a user may expose a fresh edge of said blade by either replacing said blade with a new blade from said cavity or by rotating said blade by 180 degrees to change handedness of said utility knife. These amendments are clearly supported by page 17, lines 2-4; page 18, lines 7-9; and Figs. 1-4 of the specification, as originally filed. Accordingly, no new matter has been added.

Applicants' invention provides a utility knife for glaziers and SHEET ROCK (TM) dry wall workers having a two-part handle. The handle clamps a detachable reversible knife blade at a transverse angulated position with respect thereto. Vertical cuts can be made in tight corners without applying excessive force. The transversely

angulated knife blade affords access permitting vertical cuts in tight corners. During cutting the user's hands are displaced from the cutting line, and kept from being inline with the cutting blades, thereby preventing injury.

Drawings

The drawings were objected to under 37 CFR 1.83(a) as not showing every feature of the invention specified in the claims.

The Examiner has stated that the "blade replacement means for exposing a fresh edge", of claim 2, must be shown or the feature canceled from the claim. The Examiner has stated that the Figures do not incorporate a structure that performs the exposing of a fresh edge. In order to overcome this rejection, claim 2 has been amended to strike the phrase "blade replacement means" and instead claims a cavity for holding extra knife blade elements, wherein a user may expose a fresh edge of said blade by either replacing said blade with a new blade from said cavity or by rotating said blade by 180 degrees to change handedness of said utility knife. It is submitted that the Figures clearly incorporate "a cavity for holding extra knife blade elements" at 19 shown in Figs. 1-3. Therefore, no new matter has been added. In view of the amendments to claim 2, applicant submits that the objection to the drawings has been obviated.

Accordingly, reconsideration of the objection to the drawings under 37 CFR 1.83(a) as not showing every feature of the invention specified in the claims is respectfully requested.

Specification

The specification has been objected to because of the improper formatting of the trademark “sheet rock”.

The Examiner has noted the use of the trademark “sheet rock” in this application. The Examiner has stated that this phrase should be capitalized wherever it appears and be accompanied by the generic terminology (dry wall). In order to overcome this objection, each occurrence of the phrase “sheet rock” in the specification has been replaced with the phrase “SHEET ROCK (TM) dry wall”. In particular, the amendments to the specification are described hereinabove at pages 5-9 of this paper. In view of the amendments to the specification, it is submitted that the trademark “sheet rock” is now set forth in its proper format.

Accordingly, reconsideration of the objection to the specification for the improper formatting of the trademark “sheet rock” is respectfully requested.

Claim Rejections – 35 USC § 112

Claims 2, 4, 5, 7, and 9-12 were rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner has stated that in regards to claim 2, the phrase “A utility knife for glaziers and sheet rock users, comprising ... blade replacement means for exposing a fresh edge of said blade” is unclear. The Examiner has stated that it is uncertain what part of the knife structure performs the “exposing a fresh edge” function. The Examiner

has stated that it is clear from the specification that the user disconnects the portions of the handle and replaces the blade to expose the fresh edge. Therefore, the Examiner has stated that the user is the “blade replacement means” and not the knife structure.

In order to overcome this rejection, claim 2 has been amended to strike the phrase “blade replacement means” and instead claim a cavity for holding extra knife blade elements, wherein a user may expose a fresh edge of said blade by either replacing said blade with a new blade from said cavity or by rotating said blade by 180 degrees to change handedness of said utility knife. In view of the amendments to claim 2, applicant submits that the rejection under 35 USC 112, second paragraph, has been obviated

Accordingly, reconsideration of the rejection of claims 2, 4, 5, 7, and 9-12 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention is respectfully requested.

Claim Rejections – 35 USC § 103

Claims 2, 4, 5, 7, and 9-12 were rejected under 35 USC 103(a) as being unpatentable over Seltzer, Jr. (USP 5,174,028) in view of Joanis et al. (USP 3,845,554).

Seltzer, Jr. discloses a utility knife having a handle with two or more angular bends. The utility knife has a replaceable blade, which may be retractable, clamped in the nose of the knife handle. The knife handle is hollow and separable to accommodate the storage of spare blades in the handle. Most utility knives either have handles which are substantially straight or which have a single angular bend. These knives are more limited

in their application or produce difficulty in cutting materials in an obstructed area. A knife having a handle with two or more bends enables the user to cut materials in close quarters or in obstructed areas with greater ease. Different handles provide greater reach or leverage under different circumstances. An alternative knife includes a handle with two or more angular bends, one of which is adjustable. This allows the user to select a configuration that offers optimum reach and leverage. A knife of this type is particularly useful in cutting around radiators, toilets, cabinets and appliances. Another alternative knife includes a handle with a nodule on the butt end opposite the blade end. This nodule aids the grip by the user.

Joanis et al. disclose a flat sheet steel knife blade with three equidistantly spaced openings. Two of these openings permit the blade to be used in one, or a reversed position, in a holder made up of two separable mating parts. These handle parts need not be separated in order to remove the blade for reversing or replacement. A leaf spring mounted in the holder has projecting pins which are adapted to enter the two blade openings in the blade, said leaf spring being manually movable between a blade clamping and a blade release position.

The Examiner has stated that in regards to claim 2, Seltzer, Jr. discloses the same invention including a reversible detachable blade having a sharp edge (16), a two-piece handle (26a and 24a in Figure 4) for supporting the blade in a transversely angulated position (Figs. 2, 3, and 5). Applicants submit that particularly as amended, claim 2 patentably defines over Seltzer, Jr. in view of Joanis et al. Claim 2, as amended, calls for a utility knife having a blade being transversely angulated with respect to the gripping

portion when viewed from a side view in the plane defined by the blade. Applicants have recited the advantages of having a knife blade that is angulated in such a manner in the specification as originally filed. Page 14, line 16 to page 15, line 2, of applicants' specification states, for example: "As a consequence of the transverse angulation of its handle, the utility knife is especially convenient for use in window glazing applications, since the hand is not located in-line with the blade. The transverse angulation may be in the range of 10 degrees to 80 degrees and more preferably between 30 to 45 degrees. The knife no longer needs to be angled in making cuts in tight corners and cuts, which is essentially perpendicular to the surface can be easily made since the size of the hand is accommodated by the transverse angulation of the handle. The utility knife can be used in right angle applications such as scoring of linoleum or sheet rock in tight places, such as corners and the like. Previous utility knives have been stubby and straight. These prior art configurations prevented facile operation of the knife, owing, in part, to interference from the operator's hands".

By way of comparison, Seltzer, Jr. in view of Joanis et al. discloses a utility knife wherein the blade is in the same plane as the gripping portion when viewed from a side view in the plane defined by the blade. See Seltzer, Jr. at Figs. 1-7; especially at Figs. 4 and 7. Clearly, the utility knife disclosed by Seltzer, Jr. in view of Joanis et al. does not allow use of such a knife in window glazing and/or SHEET ROCK (TM) dry wall applications where it is essential to have the blade angled with respect to the gripping portion when viewed from a side view in the plane defined by the blade. Specifically, the flat knife handle/

gripping portion/ blade element construction disclosed by Seltzer, Jr. in view of Joanis et al. would cause injury to the hand of the user and would inhibit access to tight corners and the like.

Accordingly, Seltzer, Jr. in view of Joanis et al. does not teach each and every element of claim 2, as amended. Therefore, it is submitted that present claim 2 patentably defines over Seltzer, Jr. in view of Joanis et al.

Regarding claims 4, 5, 7, and 9-12, these claims are directed to preferred embodiments of the invention recited by claim 2, as amended. Each of claims 4, 5, 7, and 9-12 depends from present claim 2, which applicant believes to be patentable over Seltzer, Jr. in view of Joanis et al. for the aforesaid reasons. Accordingly, it is respectfully submitted that claims 4, 5, 7, and 9-12 are patentable over Seltzer, Jr. in view of Joanis et al. by definition for the same reasons.

In contrast to the teachings of the cited references, taken alone or in combination, applicants have discovered that having a knife element transversely angulated with respect to the gripping portion when viewed from a side view in the plane defined by the blade produces a unique utility knife construction which, advantageously, provides easy and safe access to tight corners while installing window glazing and/or SHEET ROCK (TM) dry wall. When compared to any utility knife constructed from the combined teachings of the cited references, the utility knife called for by applicants' present claims 2, 4, 5, 7, and 9-12 provides enhanced leverage, access, and visibility, and clearly provides a higher margin of safety for users while working in tight environments.

Accordingly, reconsideration of the rejection of claims 2, 4-5, 7, and 9-12 under 35 USC §103(a) as being unpatentable over Seltzer, Jr. in view of Joanis et al. is respectfully requested.

Conclusion

In view of the amendments to the claims and the specification, and the remarks set forth above, it is respectfully submitted that the present application is in allowable condition. Reconsideration of the rejection of claims 2, 4-5, 7, and 9-12, as amended, and their allowance are earnestly solicited.

Respectfully submitted,
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